









We hear that Messrs Willard and Sheridan's Comedy Opera Company will begin a second series of performances in the City Hall about the 15th November.

By kind permission of Colonel D. G. Anderson, the Regimental Band will play in the Public Gardens, on Sunday, the 30th inst. from 9 till 10 p.m. The following will be the programme.

March.....The Border.....Vince  
Overture.....Maurice de St. Vast.....Barnes  
Valse.....Rosa.....Barnes  
Selection.....Maurice de St. Vast.....Barnes  
Gavotte.....Gavotte.....Barnes

LAT AYU, ricepounder, and Fan Afut, unemployed, were brought before Mr. Wodehouse, in the Police Court to-day, on remand, charged with bringing three men into the Colony for the purpose of emigration. They were committed for trial at the Supreme Court, each being allowed bail in two instalments of \$100 each.

A couple named Chan Awa came down from Canton in the *Peking* this morning, without contributing the usual fifty cents to the funds of the steamship proprietors. On being brought before Mr. Pollock in the Police Court, Awa found that this was exactly twice as expensive as the ordinary way of travelling, as he had to pay the fare and a penalty of half-dollar besides.

The evidence in the case of 'conspiracy to Refrain an Insurance Company,' which has been on trial all this week in the Supreme Court, was concluded this afternoon. It was expected that the jury would be able to give their verdict this evening, but Mr. Robinson, Counsel for the prisoners, requested an adjournment. His Lordship, the Acting Chief Justice, said he would have preferred not to have had to ask the jury to attend again, but as every consideration must be given to the prisoners he would adjourn the case till to-morrow morning at ten o'clock.

A HEATHEN named Li Ayung was charged before Mr. Pollock, in the Police Court to-day, with entering St. Francis' R. C. Church yesterday and feloniously collaring the 'Poor Box' which contained about \$20. A woman named Andrea Gomez, who lives opposite the church, stated that she saw the accused about 8 a.m. yesterday enter the sacred pile and reappear in a few minutes with something concealed under his coat which he handed over to a confederate. This witness further stated that she afterwards went into the church and saw that the 'Poor Box' had been taken away, of which she immediately went and informed Father Marks. The case was remanded.

We regret very much to hear of the death of Mr. W. H. Dobson, of Messrs Holliday, Wise & Co., Shanghai, which occurred on the 26th instant, from abscess of the liver. Mr. Dobson had been ill for some time and had gone on a visit to Japan, whence he had returned only a few days before his death. On news being received by the firm here of his serious illness, Mr. F. E. Nicholl left for Shanghai, but was not gone a day before news of the death was received. Mr. Dobson left Hongkong about two years and a half ago for Shanghai. While he resided here he made himself very popular among a large section of residents and did excellent service to the Musical Club, of which he was long a leading member.

"HOMER QUI MAL Y PENSE"—This is the title of a new song, the music by H. J. Maule and the words by Frank M. Merriwell, a copy of which we have received. The music is pleasing and easy to sing, and is well suited to a solo or baritone. The verses, though not of extraordinary merit, are well, fairly good as modern songs go. They deal with the origin of the famous motto 'Honi soit qui mal y pense,' which forms the refrain of the song. The range of the music is well within the scope of an average voice, and an optional high G affords an opportunity for a good effect to a vocalist whose upper register is reliable. The accompaniment is simple but effective. Although there is nothing of a strikingly original character in the composition—indeed there is at least one phrase which has a very familiar ring—it ought to find favour with the average concert audience.

A TEST CASE is to be tried in Canton between the Imperial Maritime Customs and the owners of the *Futshan* as to the responsibility of the river steamers for any smuggling opium that may be found on board; and pending the decision the river privileges of the *Futshan* have been suspended. Experience in all the coasting steamers shows that it is next to impossible for the Captain and officers of a vessel to prevent the Chinese crews from attempting to smuggle. Hitherto the river steamers have not been held responsible for the opium found on board, but the Customs authorities seem now to insist on this responsibility. The test case that is to be tried arose out of the finding of 36 tins of smuggled opium on board the *Futshan*. The Commissioner of Customs, on being informed of the discovery, said that if the Captain would leave the matter to his decision only a reduced fine of £150 would be imposed. The Captain, after consulting with the Consul and the directors of the Companies refused this offer, with the result as stated. Messrs Deacon & Co., the agents of the steamer at Canton, are endeavoring to minimize as much as possible the inconvenience which the temporary suspension of the privileges entails on shippers.

Ho Asam, a shop-keeper in the employ of Messrs Watson and Co., Hongkong Dispensary, was charged before Mr. Pollock, in the Police Court to-day, with stealing a packet of seeds from the shop, of the value of 30 cents. The accused admitted that the packet was in his possession, but said it was without his knowledge. After hearing evidence, his Worship found the charge proved, and passed sentence of six weeks' imprisonment with hard labour.

THE *Singapore Free Press* says—Captains of incoming steamers from China report the prevalence of most remarkable weather in the China Sea. The weather is described as a monotonous calm, the sea being covered with a thick film of oil with the fish mostly all on top of the water. 'Counting events eat their shadows before' and this strange calm may be the forerunner of storm, as has happened before, which about this time of the year swallowed up the *Wamp* and the *Uchi Kan*.

AN amusing story is told by the Continental newspapers about the infant King of Spain, Alfonso XIII, and his wet-nurse. The first time when, according to the etiquette of the royal household, the services of the nurse should be dispensed with, and she has been informed by the Queen-Regent that she is at liberty to return to her husband and children. The nurse, a sturdy Andalusian peasant-woman, having no other ideas, she is very fond of her royal charge, and he, it appears, fully returns her affection; and she has found no difficulty in inspiring him with a perfect horror at her threatened departure and in teaching him to lie. 'I don't want my nurse to go, she must stay with me.' His Majesty has frequently of late expressed himself in these terms both to his mother and in presence of the Court. The result is, of course, that the wily nurse will not be disturbed. The story is an interesting addition to the history of royal favourites.

The news that the sojourners at Fiume and Pola no longer take their accustomed dips in the sea owing to the circumstance that sharks have begun to infest the Adriatic, is even more serious than the report that the Italian fleet is in the River Elbe since thirteen alligators—unlucky number—were permitted to escape into its waters from a vessel that was conveying them to the Zoological Gardens at Hamburg. Sharks, it is alleged, were practically unknown in the Adriatic before the opening of the Suez Canal. The obvious suggestion is that Mr. De Lesseps' great achievement is also an unending blessing; but from Port Said to Fiume is a long way. One would certainly have expected to hear something of the achievements of the shoal among bathers on the way. A couple more such eccentric voyages might bring them within snapping distances of the bathing machines of the Riviera and Devon coast resorts, where instead of the appearance of a fox-shark or 'thresher' there are now spread consternation.

UNDER the heading of 'New Berlin' many interesting particulars of the progress of the Prussian capital since 1871 have been gathered together by Professor Palocz, and contributed as a feuilleton to the *Neue Freie Presse*. There are now, it seems, twenty-five public libraries in Berlin with more than 100,000 volumes. Vienna's twenty-nine public squares are compared with fifty-eight possessed by Berlin. Though Vienna has its Prater and Paris its Bois de Boulogne, Berlin surpasses both in its Grunewald, with its immense extent, its hills and valleys, its woods and lakes, villa and hunting-grounds. The northern limit now lies close to the houses of Charlottenburg, the largest suburb. Berlin extends nearly more than ten million marks on the poor, and mendicants in the streets are unknown. The citizens take pride in serving their city without reward. More than 12,000 of them are now thus working for the town, while the number of paid officers is comparatively insignificant. More than half of the thirty-one magistrates who carry on the direction of affairs in the 'Red House' have no salary, though their office is no sinecure. This unselfish devotion to the general well-being is the sure guarantee for the further development of the city. It is only four years ago that the Prussian Landtag voted four million marks for the increase of the Royal Museums of Berlin. Several millions of marks have been recently voted for deepening the bed of the Spree and for improvements of the Upper Spree Canal, which will greatly facilitate the trade of the city. The city railway cost enormous sums. The Ministerial palaces, though simple in style, have luxurious and commodious interiors. Four monumental post-offices and the magnificent Polytechnic at the west end of the Thiergarten are the boast of the city. The new Palace of the Reichstag in the Koenigsplatz is a fine building, the largest frequent in the world. The University of Berlin is the most frequent in the world. The number of professors is about 300. The pupils in the new Polytechnic number more than 1,200, and all other schools are in a flourishing condition.

THE TYPHOON. As 10.30 last night, Dr. Dohereck issued the following message:—'The typhoon is approaching Hongkong from the E.S.E.' The typhoon, however, has not yet reached Hongkong and there is every indication now that we have again escaped. This morning a gun was fired indicating that a gale was anticipated and several of the small craft and two men-of-war took shelter near San Sai Po. This forenoon the following notice was received from Dr. Dohereck:—'This morning directions were given to fire the gun one round. The barometer has risen since and appearances here are improving, but for lack of direct telegraphic communication with Hongkong no further information is available. Dr. Dohereck writes at 4 p.m.—'Typhoon South of Hongkong.' The weather throughout the forenoon continued thick and rainy, but cleared a little in the afternoon. The following vessels sought shelter at the undermentioned places:—At Yan-ma-ti—H.M.S. *Satellite*, *Esper*, and *Merlin*; and the *Yung King*; at back of Stonecutters' Island—the *Foot-sang*, *Clara*, *Taiwan*, and *Taidiao*; at Ly-se-moon—the *Formosa* and *Iphigeneia*.

## SUPREME COURT. IN SUMMARY JURISDICTION. (Before Mr. A. J. Leach, Acting Puisne Judge.) Friday, Sept. 28.

SHIRK HANSEN v. J. D. HUMPHREYS.—CLAIM FOR WAGES.  
Sleik Hunsell, formerly a watchman in the employ of Messrs Watson and Co. of Hongkong Dispensary, and Mr. J. D. Humphreys, manager of the Dispensary, for \$11, being one month's wages, to which the plaintiff considered himself entitled owing to his having been discharged without notice.

The plaintiff said—I was employed as watchman at the Hongkong Dispensary during the night. I had to watch in the street and in the passage in D'Aguiar Street. It was also my duty to call the dispenser on duty in the night. I claim this month's wages because I was dismissed on the first of this month without previous notice.

By Mr. Humphreys—The complainant asked me on the first of the month what wages were due, and I said one month. He then paid me and told me to leave.

His Lordship—I did not ask for more wages, but I got a friend to write to Mr. Humphreys about my not getting notice.

Mr. Humphreys said—The plaintiff was employed by the month. I gave instructions for his dismissal at the end of last month because on two occasions during that month the petty cash book in the night, amounting to \$5, was taken from the drawer. I dismissed the plaintiff for neglect of duty in not keeping a proper lookout. When a customer's servant comes with a prescription at night it is the duty of the watchman to go upstairs and call the dispenser on duty, and to call the night robbers could not come to the dispenser in the night. The plaintiff was engaged at the far end of the shop. He would not see any person at the till.

His Lordship—Might not the theft have been committed by one of your own Chinese servants?

Mr. Humphreys—Even in that case the plaintiff would be responsible, because he should keep a proper watch. I did not want the plaintiff. I did not know of the first robbery until the second one took place. As soon as I was told I sent a goods clerk to see what was going on some time ago and that is the reason why the watchman was kept at the door. I can't say that plaintiff's attention was specially called to this.

Plaintiff (re-called by his Lordship)—I have nothing to do with the inside of the shop, only the outside. My duty is to see that nobody from the street comes inside, and to keep a watch around the premises and see that no windows are open. I never heard anything about the money being stolen.

His Lordship said apart from the question of the plaintiff having been dismissed for negligence, the rule was in case of domestic servants that they were entitled to a month's wages in lieu of notice. As to whether the plaintiff was a domestic servant or not, the term was not strictly confined to those employed in domestic work. The plaintiff had been dismissed for neglect of duty, and he was not entitled to a month's wages over for that month, but this man sought more than that—he claimed as a domestic servant a month's wages in lieu of notice. His Lordship did not think plaintiff could claim that wages in a case of neglect of duty, which was the assumption arising from the evidence, and therefore the claim would be dismissed.

Mr. Humphreys did not ask for costs.

## THE CHARGE AGAINST SERGEANT DUNCAN.

Mr. Pollock gave decision to-day in the case of Police Sergeant Duncan, who was charged with misconduct as a Police Constable, in that he entered the house No. 294 Queen's Road West without a warrant, the same being a gambling house.

His Worship said—In this case the defendant is charged with misconduct as a police officer, in entering the house number 294 Queen's Road West without a warrant for that purpose. The facts of the case, as disclosed by the evidence before me, are as follows:—On the evening of the 12th of September the defendant accompanied by Num Shing, Chinese police officer number 236, went to house number 292 Queen's Road West, with a warrant for searching that house, which had been granted to him upon an information that there was reason to suspect that gambling was being carried on there. The defendant and the constable accordingly went into the house number 292, but found upon examination that there was no communication between the first and second floors, the former way up through the ceiling having been blocked up. It seems to have occurred to the defendant (No. 292 is big corner house) that there must be a way up to the top floor of No. 292 up the staircase of No. 294, which was the next house. He therefore went up the staircase of No. 294 accompanied by the Chinese constable, with the expectation of being able by that means to get to the top floor of No. 292, and the sole question which I have to decide now is whether the defendant was justified in going up into house No. 294 without any warrant for searching that house. The defendant has been very ably defended by Mr. Caldwell in this case, who naturally felt himself duly bound to take any objections which could be raised by the law process to deal with them in order. The charge made was that the Police Rules and Regulations on pp. 22 and 23, which were put in this case, have not been proved to valid, inasmuch as first of all it was not shown that they had received the sanction of the Governor as required by Ord. 14 of '87. This objection was overruled by me upon the production of the Regulations duly approved and sanctioned, containing the signature of Lord and General Cameron's signature. Mr. Caldwell then raised the second objection that these particular rules and regulations put in are of too public a scope to fall within Section 20 of Ordinance 14

of 1887, and that they therefore fall within section 19 of that Ordinance, and ought to have been published in the *Government Gazette*. In my opinion it is unnecessary for me to decide whether the object of the law is to be not, for, apart from any police regulations on the subject, the police were bound not to exceed the powers given to them by section 7 of Ordinance 9 of 1876. At the same time I must observe that I think it would be far more satisfactory if regulations like Regulations 22 and 23 were not expected to be published in the *Government Gazette*, to prevent any further difficulties arising in the future. Mr. Caldwell's next objection being that Section 7 of Ordinance 9 of 1876 does not expressly contain any words providing for the entry of a police officer into a house without a warrant. I have given the closest possible attention to the wording of the Section and have come to the conclusion that that section is what is known to lawyers as a purely 'enabling' clause, and that therefore anything which that section does not expressly authorize is by implication prohibited. Mr. Caldwell's next point is that, even admitting the defendant's entry into the house to have been wrongful, the defendant is liable only to a civil action as a trespasser, and is not amenable to criminal process for misconduct. This contention, I am sorry to say, is one that I cannot agree with. The warrant on the face of it only authorizes the defendant to make a search in a particular house, No. 292, and does not authorize search to be made in any other house. It is a search for a chance of obtaining a hearing through the opinion which prevail amongst us in private, after having been republished by those which we hold in public. Where, however, are the *hustlers* and the *gentlemen* who force men and women to marry? There is not even a law to compel a man to marry the girl whom he has seduced, nor to oblige him to acknowledge the child which she has borne to him.

We give below the criticism from the *World* on 'The Trial to the Big-Gossamer Correspondence,' as *Punch* terms it.—An article on 'Marriage,' signed Mons Caird, and which has been published in the *Westminster Review*, has enabled the *Daily Telegraph* to once more to display its unrivalled skill and proficiency in the art of tapping the well-springs of contemporary Philistinism. No doubt these well-springs, although obscured and hidden under ordinary circumstances, are a deep and rich source of material for the overflow of the land on the slightest provocation or excuse. But with the charm or talisman whereby they are to be liberated and utilized at discretion, the *Daily Telegraph* alone appears to be familiar, and capable of operating with satisfactory effect. It is not a mere matter of words, as the *Review* is smitten by the red of Mars has streams of any kind, whether of water or correspondence—or what not—been more miraculously evoked from unexpected and unproven sources than they are on these occasions. Nor does the precise nature of the material upon which the *Daily Telegraph* has selected for commentary, and which is so much to be commended for its accuracy and power. Not long ago it was 'Who Wrote Shakespeare's Plays?' then it was 'Luck,' and then it was 'Our Daughters,' and with each of them the *Daily Telegraph* managed with equal facility to keep its columns full for weeks and weeks together. Now the mystic formula 'Is Marriage Failure?' supplies the words of fear with which its conjurations are accomplished; and, for all that is visible to the contrary, it is likely to remain constant to them until Parliament meets again in November. It is safe to say, however, that the *Review*, November 19, by Douglas will the momentous question suggested by the accomplished Mons Caird, and propounded by the *Daily Telegraph*, be any nearer to a final settlement than it is now, or than it was a hundred or a thousand years ago. No doubt we are assured that marriage is sometimes a failure and sometimes a success; and, according to the experience of each of us, each of us will be disposed to accept examples of failure or examples of success as constituting the rule or the exceptions to the rule. But, considering that the world always has a good deal more of the failure than of the success, it is by no means surprising that general opinion should be influenced to a far greater extent by the first than by the second. 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